

## **FISCAL NOTE**

### **SB 585 - HB 986**

March 21, 2001

**SUMMARY OF BILL:** Creates a criminal forfeiture action which would allow property that is the proceeds of criminal activity to be forfeited through the criminal prosecution for the offense from which the proceeds were gained. The forfeiture action may occur in general sessions or state criminal court depending on the value of the property. The bill requires the prosecution to give notice in indictment if it intends to seek forfeiture of property as part of criminal prosecution. Current law provides that a forfeiture action requires a filing of a separate civil action in circuit, chancery, or general sessions court. The bill continues to require a separate civil action to determine whether third parties (non-defendants) property rights may be subject to forfeiture.

### **ESTIMATED FISCAL IMPACT:**

#### **Decrease State Expenditures - Not Significant**

Assumes some decrease in court time and other judicial resources by decreasing the number of separate forfeiture proceedings; however, such decrease is not estimated to be significant.

### **CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James A. Davenport, Executive Director

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